

REMARKS

Upon entry of the Amendment, Claims 1 and 9 will be pending in the application.

Claims 2-8 are canceled without prejudice.

Claims 1 and 9 are amended to recite a “double-sided pressure-sensitive adhesive tape” and Claim 1 is further amended to recite “a pressure-sensitive adhesive layer disposed on both sides of the substrate”. Support can be found, for example, at page 7, starting five lines up from the bottom of the page (referencing Figure 1) of the specification as originally filed. No new matter is added.

Entry of the Amendment along with reconsideration and review of the claims on the merits are respectfully requested.

Response to Claim Rejections - 35 U.S.C. §103

A. Claims 1-3, 6, 7, and 9 are rejected under 35 U.S.C. §103(a) as assertedly being unpatentable over Ho et al. (US Patent 5,468,532).

The Examiner cites Ho et al. as teaching a multilayer graphic article according to the present invention by asserting that Ho’s multilayer graphic article can be used as the claimed pressure sensitive adhesive tape.

B. Claims 4 and 5 are rejected under 35 U.S.C. §103(a) as assertedly being unpatentable over Ho et al. (US Patent 5,468,532) in view of Dobashi et al. (US Patent 5,643,676), for the reasons given in the Office Action.

Applicants respond as follows.

As previously noted, Applicants clarify that the present invention is a “double-sided pressure-sensitive adhesive tape” where the pressure-sensitive adhesive layer is disposed on both sides of the substrate.

Claims 2-8 are canceled so that the rejection of these claims is moot.

Ho et al., alone or in combination with Dobashi et al., fails to render obvious the present invention.

Ho et al. (U.S. Patent No. 5,468,532) relates to a multilayer graphic article which is applied to a variety of surfaces for decorative reasons and Dobashi et al. (U.S. Patent No. 5,643,676) relates to a surface protective film which is used for protecting automotive coatings during transportation. Both of the cited references pertain to a *single-sided* pressure-sensitive adhesive tape comprising a substrate having provided on one side thereof a pressure-sensitive adhesive layer. A skilled artisan would not be motivated to provide a pressure-sensitive adhesive layer on both sides of the colored substrate in view of the object of the cited references.

Accordingly, it is not taught from the cited references that in the double-sided pressure-sensitive adhesive tape of the present invention, which comprises a substrate and a pressure-sensitive adhesive layer disposed on both sides of the substrate, the substrate is colored so as to have the specific constitution of the present invention.

Accordingly, Applicants respectfully request reconsideration and withdrawal of the obviousness rejections.

Response to Double Patenting Rejection

Claims 1-9 are provisionally rejected under the judicially created doctrine of obviousness-type double patenting as assertedly being unpatentable over claims 1-4, 6, and 16-18 of copending Application No. 11/041,394.

Applicants submit herewith a terminal disclaimer in compliance with 37 CFR 1.321(c) to overcome the provisional rejection. Copending Application No. 11/041,394 is commonly owned with the present application.

Accordingly, Applicants respectfully request reconsideration and withdrawal of the provisional obviousness-type double patenting rejection.

Conclusion

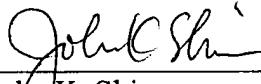
In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

AMENDMENT UNDER 37 C.F.R. § 1.111
U.S. Appln. No.: 10/623,569

Atty. Docket No. Q76408

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,


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